

**DRAFT PLANNING BOARD MEETING MINUTES**  
**TUESDAY, NOVEMBER 15, 2005**

**MEMBERS PRESENT:** Paula Caron  
Jay Cruz  
John DiPasquale  
Mike Hurley  
Nancy Maynard  
Dean Tran  
Yvette Cooks (associate member)  
Paul Fontaine, Jr. (associate member)

**MEMBERS ABSENT:** Jeremy Daly

**PLANNING OFFICE:** Mike O'Hara

**Call to Order**

Mr. Daly unable to attend. Ms. Caron chaired meeting. Meeting called to order at 6:03 p.m. in the Veteran's Room, First Floor, City Hall.

**Communications**

Board reviewed correspondence received.

**Meeting Minutes**

A motion was made and seconded to approve the draft minutes of the October 18<sup>th</sup> meeting as corrected by Ms. Caron. Vote unanimous to approve.

**ANR Plans**

None.

**Miscellaneous**

Site Plan Review, Black Widow Entertainment, 555 Westminster St. -- Applicant had applied for Site Plan Review last year for a commercial recreation use. Was put on hold because of back taxes issue. Applicant withdrew application, requested refund the \$200 application fee. No mailing or advertising costs had been incurred yet. Board voted to refund half the application fee.

Old High Rock Road

Petition to abandon portion between end of traveled road and Ashby State Road and convey to neighbors. Public Works committee had voted to recommend petition be withdrawn w/o prejudice. Board took no action.

Putnam Park & Putnam Passway

Petition to accept entire portion of both streets. Board recommended against since not enough information on layout, width of streets.

**PUBLIC HEARINGS**

**Special Permit - remand from Superior Court, Wanoosnoc Estates, Pandiscio**

Hearing postponed from 10-18-05 meeting.

Members present for hearing: Caron, Cruz, DiPasquale, Hurley, Maynard, Tran, Fontaine (assoc. member), Cooks (associate member)

Applicant was advised that only six members present, but two associates present. Mr. Tran leaving Board in January. Need five votes to approve Special Permit. Applicant had no objection to going ahead with hearing, has waited three years.

Atty. Mark Bodanza present proposal. He referred to City Solicitor's 11-14-05 letter on the issue of whether applicant has legal right of access via Wanoosnoc Road.  
Density of project has been decreased. Is much better environmentally. Access via Damon Rd. will resolve traffic issues on Wanoosnoc Rd. Presented concept of pull-offs on Damon Road to let cars pass each other. Not fully designed because no detailed survey done yet.

Mr. Cruz: how many pull offs on Damon Road?

Mr. Hamwey: As many as necessary - conceptual plan in traffic study shows three. No detailed survey done yet. Damon is a two-lane road.

Mr. DiPasquale: any Fire Dept. comment? Not yet

With 95 proposed units at end of Damon Rd. shouldn't it be improved to allow for two-way traffic?

Atty. Bodanza: they are willing to go further & investigate road improvements if get favorable vote.

Ms. Caron: Planning Board won't vote w/o more information presented on that issue.

Ms. Caron: Any open space set aside? Fred Hamwey: two areas - (1) at eastern edge of property (includes stream from Coggs Hall Park.) (2) area at end of Damon Rd. Total is about 7 acres.

Fred Hamwey: on the question of whether Damon Road is safe, they are relying on opinion of traffic consultant (MS Transportation Systems) who says it will be safe.

Mr. DiPasquale: How water & sewer lines will cross Wanoosnoc Road culvert?

Fred Hamwey: will be done in conjunction with replacement of the culvert.

Mr. DiPasquale: Why 8-inch sewer into 4-inch force main? Fred Hamwey: Sewer pump needs smaller diameter pipe.

Is it possible to run water & sewer out Damon Road? Fred: Yes.

Ms. Cooks: Is applicant willing to pay cost of water & sewer extension down Damon Rd.?

Joe Pandiscio - will extend water & sewer to limit of his property, but won't pay to extend down Damon Road. First house is about 1,000 beyond Pandiscio's property.

Ms. Caron: not uncommon for Board to condition off-site improvements.

Mr. Hurley: Any improvements to Damon Road planned? Fred Hamwey: No.

Public comment:

Atty. Bowen, representing Mr. & Mrs. Rose, Damon Rd. raised several issues:

Discrepancy in parking #'s in table on site plan.

Earth removal -- there will be lots in order to reach finished grades as shown on plan. Board should consider impacts of earth removal.

Traffic -- not much mention of Mt Elam Rd/Electric Ave. intersection. They should investigate that - everything goes through that intersection.

Dan Dumais, MS Transportation Systems -- AM peak hour - 51 vehicles leaving site. Did not do their own counts at Mt. Elam/Electric.

Mr. Cruz: what is width of Damon Rd?

Mr. Dumais: 16-18 feet. Two cars can pass but delivery vans, etc. need turnout to pass.

Paul Vaillancourt, 746 Mt. Elam Rd. noted that Mt Elam Rd. had highest crash rate in traffic report.

Project "will not have negative impact" -- they willing to guarantee? Traffic at Mt Elam/Electric Ave. intersection in a.m. is now backed up to entrance to Coggs Hall Park.

Ms. Caron noted that Bridle Cross Estates was required to pay \$100K for off-site traffic improvements.

Atty. Bowen had question about "delay" on Fig. 8 in report.

John Carbone, Damon Rd. - traffic study should have an independent traffic review.

Ms. Caron: the Board is having one done.

Steve Holt, 152 Olin Ave: asked about date of traffic counts.

Mr. Dumais: they did counts when Rt. 2 bridge was open.

Jerry Testagrossa, Maplewood Dr.: NFPA says 1,000 gpm is minimum req'd for fire flows. How are they going to get that?

Mr. Holt: the area between cell tower & proposed open space parcel -- will there be a future Phase II?

Fred Hamwey: not at this time.

Larry Zarrella, 141 Olin Ave. - had questions about sewer pump system, whether backup power, widening of Damon Rd near perennial stream.

Fred Hamwey: DEP will require back-up power & a sewer extension permit.

Abutter – what is long-term benefit to Fitchburg?

Atty. Bodanza: the proposed PUD is better than conventional grid subdivision.

Ms. Benoit, Bonner Ave. - moved from Leominster because of development. Lived near new development (Willard St.) where developer installed new waterline. Now everyone has to pay to get Pressure Reducing Valves installed at their cost.

Terry Thomas, Damon Road: PUD section of ordinance requires that PUD must be "benefit to the city" has not yet seen

Atty. Bowen - reviewing the Board's 2004 denial, the situation hasn't changed -- still don't meet requirements for a PUD.

Atty. Bodanza: Previous density (w/ 129 units) was 4.69 units/ac. Now with 95 units is 3.45 units/ac.

Mike Donnelly: Board should separate earth removal issue. Access from Wanoosnoc Rd. is more environmentally sensitive than access from Damon Rd. Site is marginal land. Suggests, rather than encouraging PUDs & clusters, why not consider conventional development?

Ms. Cooks: what is benefit of PUD to City of Fitchburg?

Atty. Bodanza: benefit is that it provides housing which is needed. PUD development is better for the community at large.

Mr. Tran: PUD is better than conventional development because less impact on school system.

Ms. David, 111 St. Martin St. - there will be large # of units at the end of a dead end street. Is there a limit to # of units allowed on a dead end street?

Ans.: No.

Joe Pandiscio: Asked whether people preferred 95 condos or 70 single-family dwellings in a conventional subdivision? Property would be developed one way or the other. PUD would have less impact.

Mike Donnelly: cautioned that 2-BR condo units doesn't necessarily mean no kids.

Hearing continued to December 20 Planning Board.

### **Definitive Subdivision "Parker Hill Acres" - Matson, Westminster Hill Road**

Applicant was advised that only six members present at last meeting. Mr. Daly not there tonight, so down to 5 members, plus Mr. Tran leaving Board in January. (Associate members not eligible to vote.) Need four votes to approve Definitive Plan. If hearing re-opened, only these five members could vote on plan.

Applicant & Atty. Watts agreed to defer re-opening hearing; requested special mtg. prior to Dec. 20<sup>th</sup> meeting, in case no quorum then.

Board agreed to hold special meeting at on Tuesday Dec. 6.

Will insure that review of Water System Impact done & peer review for traffic study done prior to that mtg. Hearing postponed to Tuesday Dec. 6 at 6:00 p.m.

**Special Permit - Benham, 156 Summer St., convert 2-family to 3-family**

Hearing opened. Mr. Benham presented proposal. No addition, all interior work to make 3<sup>rd</sup> floor an apartment. Seven parking spaces available on site.

Issues raised by Departments: BOH - code violations, Water - water service needs to be upgraded, Fire - smoke detector certificates.

Mr. Tran: is familiar with property. Years ago was legal 2-family, third floor was uninhabitable.

Motion made & seconded to grant Special Permit subject to compliance with issues raised in comment letters from various departments and that these two adjoining parcels comprising 156 Summer Street must be deeded together. Vote 7-0 in favor.

Ms. Cooks left mtg.

**Repetitive Petition (Special Permit) - Arsenault, 59 St. Joseph Ave.**

Hearing opened. Atty. Watts made presentation that applicant's proposed home occupation would be in the dwelling, not accessory structure. He made argument that it wasn't "repetitive petition", or alternatively, that it was enough of a change to justify allowing applicant to go forward to Board of Appeals.

Motion made & seconded to allow repetitive petition to go forward & reapply to Board of Appeals. Vote 6-0 in favor.

**Repetitive Petition (Variance) - Benoit, Sheridan St.**

Hearing opened. Lee Benoit made presented revised plan for warehouse -- slightly different size building, relocated loading dock from the plan that was denied a variance.

Motion made & seconded to allow repetitive petition to go forward & reapply to Board of Appeals. Vote 6-0 in favor.

**OTHER BUSINESS**

Mt. Elam Peak subdivision.

Atty. Watts asked Board to confirm previous vote to release lots in subdivision, once clarification rec'd from Engineering that their \$195K bond estimate was for either 8 or 16 lots. Pappas' performance guarantee would be a tri-party agreement in that amount.

Board voted unanimously.

Meeting adjourned 8:45 p.m.

*Next meeting: December 20, 2005.*

*Approved:* \_\_\_\_\_